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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

IN RE PLAID INC. PRIVACY  
LITIGATION

Master Docket No.: 4:20-cv-03056-DMR

**DECLARATION OF MELISSA GARDNER  
IN SUPPORT OF POST-DISTRIBUTION  
ACCOUNTING**

THIS DOCUMENT RELATES TO:  
ALL ACTIONS

1 I, Melissa Gardner, hereby declare as follows:

2 1. I am a partner at the law firm of Lief, Cabraser, Heimann & Bernstein, LLP  
3 (“Lief Cabraser”), which was appointed Co-Lead Interim Class Counsel on July 29, 2020 (Dkt.  
4 57) and Co-Lead Class Counsel on November 19, 2021 (Dkt. 153). I am licensed to practice law  
5 in the State of California and admitted to practice before this Court. I am over 21 years of age and  
6 am not a party to this action. I make this declaration based on my own personal knowledge. If  
7 called upon to testify, I could and would testify competently to the truth of the matters stated  
8 herein.

9 2. The Settlement Agreement in this action provided that “Plaid shall provide a  
10 declaration to Class Counsel certifying Plaid’s compliance with, and describing the status of its  
11 implementation of” injunctive relief provisions enumerated at paragraphs 53-66 of the Settlement  
12 Agreement. Dkt. 138-1 at ¶ 70. Pursuant to this requirement, Plaid’s counsel provided Class  
13 Counsel with the Declaration of Sheila Jambekar, Plaid’s Chief Privacy Officer, on March 20,  
14 2023. A true and correct copy of the Jambekar Declaration is attached hereto as **Exhibit 1**.

15 3. In the Court’s Order granting Final Approval and Attorneys’ fees, the Court  
16 adjusted Class Counsel’s reported lodestar of \$4,394,236 through January 25, 2022 to \$4,127,531  
17 resulting in a multiplier of 2.66 for the Court’s \$11 million fee award. Lief Cabraser  
18 requested updated lodestar information for all three Class Counsel firms for the time period  
19 January 26, 2022 through and including August 4, 2023, and received the following reports:

Firm	Fees	Hours
Lief Cabraser	\$240,276.50	325.10
Herrera Kennedy	\$140,692.50	179.6
Burns Charest	\$56,187.50	79.40

23 4. Class Counsel’s work during this period consisted primarily of preparing the  
24 briefing and argument related to Final Approval and the attorneys’ fee request, corresponding  
25 with Class members about the Settlement, and working with the Settlement Administrator to  
26 facilitate claims processing and payments. Adding the above to the previous total lodestar as  
27 adjusted by the Court, the updated lodestar calculation for all Co-Lead Counsel is \$4,564,688  
28 through August 4, 2023, and the updated lodestar multiplier for the fee award is 2.41.

5. Class counsel have conferred with the Settlement Administrator and with counsel for Plaid, and have determined that pursuant to paragraph 78 of the Settlement Agreement, the residual funds in the Settlement Fund should be distributed to the Cy Pres Recipients because it is not economically feasible to distribute those funds to the individuals who previously submitted claims.

I declare under penalty of perjury that the foregoing is true and correct as to all matters of which I have personal knowledge. Executed this 21<sup>st</sup> day of August, 2023, in San Francisco, California.

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Melissa Gardner